

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NEIL OPPENHEIM

v.

COMMONWEALTH, et al.

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CIVIL ACTION

NO. 12-3435

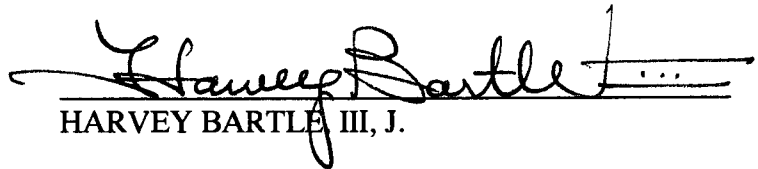
ORDER

AND NOW, this 10th day of December, 2012, upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. The Petition for Writ of Habeas Corpus is **DENIED AND DISMISSED FOR LACK OF JURISDICTION**.

There is no probable cause to issue a certificate of appealability.

BY THE COURT:


HARVEY BARTLE III, J.